

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL
:
v. :
: NO. 22-CR-33
JOSEPH RAYMOND BERGER :

CONDITIONS OF RELEASE ORDER

BAIL

Defendant is **released on bail** in the amount of: \$ 25,000.00

 X **O/R**

 cash

 secured by:

 % cash

 property at:

 Clerk's office requirements are not waived. Execute an Agreement to Forfeit the Property stated above with a copy of the deed as indicia of ownership.

PRETRIAL SERVICES

 X Defendant shall report to Pretrial Services:

 X **as directed** by Pretrial Services.

 times per week **in person**.

 times per week **via telephone**.

 Defendant shall attend mental health services under the guidance and supervision of Pretrial Services.

 Defendant shall submit to a drug test as directed by Pretrial Services. If negative, no further drug testing or treatment will be necessary.

 Defendant shall refrain from excessive use of alcohol or from any use of a narcotic drug or other controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. § 802, without a prescription by a licensed medical practitioner.

 Defendant shall undergo **drug/alcohol treatment** if necessary as determined by Pretrial Services.

 Defendant shall submit to **location monitoring** at the following address:

 This Court, based upon evidence that Defendant has adequate financial resources, finds that he/she shall pay all or part of the cost of the court-ordered monitoring program, in an amount to be specified by Pretrial Services.

 Curfew. You are restricted to your residence every day from to , during which electronic monitoring will be in place, or as directed by the pretrial services office or supervising officer.

 Home Detention. You are restricted to your residence at all times except for

employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer;

 Home Incarceration. You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.

PASSPORT

 X Defendant shall surrender and/or refrain from obtaining a **passport**.

TRAVEL

 X Travel is restricted to the **Eastern District of Pennsylvania**.

 Travel is restricted to the

 X Unless prior permission is granted by Pretrial Services.

FIREARMS

 X Defendant shall surrender and/or refrain from obtaining any firearms/or dangerous weapons. ***Specifically, the defendant shall ensure any/all firearms, firearm parts, ammunition and any other machines or devices to include 3D printers are removed from the home and out of the defendant's possession. Removal of any such items needs to be completed within 48 hours upon the defendant's release and proof shall be submitted to Pretrial Services.*** Any other firearms in any premises where the defendant resides while on supervised release must be removed from the premises and no firearms are to be brought into the premises during this period. The defendant shall execute a completed Prohibition on Possession of Firearms Agreement.

MISCELLANEOUS

 X Defendant shall have no contact with **co-defendants, potential witnesses** in this case, or individuals engaged in any **criminal activity**. **The court understands that the co-defendant in this case is his son. Therefore, he may discuss any other matters, EXCEPT THIS CASE, with his son.**

 Defendant must maintain present **employment**.

 Defendant must **actively seek** gainful employment.

 Defendant shall undergo a **mental competency evaluation**.

 X Defendant must reside:

at: 3401 Lehigh Street, Bethlehem PA 18020

with: Wife, Dolores Berger

COMPUTERS/INTERNET

_____ The Defendant is subject to the following computer/internet restrictions which are to be monitored by U.S. Pretrial Services and may include manual inspection, use of minimally invasive internet detection devices, and/or installation of computer monitoring software to insure compliance with the imposed restrictions.

_____ **No computer:** The Defendant is prohibited from possession and/or use of any computers and connected devices.

_____ **Computer, no internet access:** The Defendant is permitted use of computers or connected devices, but is not permitted access to the Internet (as World Wide Web, FTP sites, IRC servers, instant messaging).

_____ **Computer with internet access:** The Defendant is permitted use of computers or connected devices, is permitted access to the internet for legitimate purposes, and is responsible for any fees connected with the installation and use of monitoring software.

_____ **Other Residents:** By consent of other residents, all computers located at the address of record shall be subject to inspection to insure the equipment is password protected.

_____ **Other Restrictions:**

OTHER CONDITIONS:

As a further condition of release, defendant shall not commit a Federal, State, or local crime during the period of release. The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than 10 years, if the offense is a felony; or a term of imprisonment of not more than 1 year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Any violation of the conditions of release may result in revocation of bail and imprisonment pending trial.

It is so ORDERED this 7TH day of FEBRUARY, 2022.


JOSEPH RAYMOND BERGER, DEFENDANT

BY THE COURT:


PAMELA A. CARLOS
UNITED STATES MAGISTRATE JUDGE

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



Defendant's Signature

ALLENTOWN, PA

City and State

Directions to the United States Marshal

- (☒) The defendant is ORDERED released after processing.
 () The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 2/7/2022


Judicial Officer's Signature

PAMELA A. CARLOS, USMJ

Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL